



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: July 12, 2006
AGENDA DATE: July 20, 2006
PROJECT ADDRESS: 2553 Mesa School Lane (MST2004-00634)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Jan Hubbell, AICP, Senior Planner *JH*
 Allison De Busk, Associate Planner *AD*

I. PROJECT DESCRIPTION

The project consists of the subdivision of a 25,623 gross square foot lot into two parcels. Parcel 1 would be 15,000 net square feet (15,199 gross square feet) and Parcel 2 would be 8,713 net square feet (10,424 square feet). Parcel 1 would contain the existing residence and an Additional Dwelling Unit. A new three-car garage is proposed and a modification is requested to provide one of the four required parking stalls as an uncovered stall. Parcel 2 would remain undeveloped at this time. Access to both proposed lots would be located along the western property line.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Modification to allow one covered and one uncovered parking stall instead of two covered stalls for the Additional Dwelling Unit (SBMC §28.92.026.A);
2. A Modification to allow a newly created parcel to have less than the required 60 feet of frontage on a public street (SBMC § 28.15.080);
3. A Coastal Development Permit (CDP2006-00002) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009);
4. A Tentative Subdivision Map to allow the division of one parcel into two lots (SBMC 27.07); and
5. A Performance Standard Permit for an Additional Dwelling Unit (SBMC 28.93.030, E).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission

approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE: June 21, 2006
DATE ACTION REQUIRED PER MAP ACT: September 9, 2006

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Piekert Group Architects	Property Owner: Robin Davidson
Parcel Number: 041-311-032	Lot Area: 25,623 gross / 23,713 net
General Plan: Residential – 5 units/acre	Zoning: E-3/S-D-3
Existing Use: single-family residential	Topography: average 8% slope
Adjacent Land Uses:	
North - Single-Family Residential	East – Single-Family Residential
South - Single-Family Residential	West - Single-Family Residential and Douglas Family Preserve

B. PROJECT STATISTICS

	Existing	Proposed Parcel 1	Proposed Parcel 2
Living Area	1,483 s.f.	2,218 s.f.	N/A
Garage	508 s.f.	610 s.f.	N/A
Accessory Space	272 s.f.	155 s.f.	N/A

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Proposed Parcel 1	Proposed Parcel 2
Setbacks			Building Envelope
-Front	20'	32'	20'
-Interior	6'	6'	6'
Building Height	30'	18'(new unit)	N/A
Parking	4 covered stalls	3 covered, 1 uncovered*	N/A
Lot Area Required	7,500 net sq.ft. 15,000 net sq. ft. for ADU	15,000 net sq.ft.	8,713 net sq.ft.
Open Yard	1,250 sq.ft.	4,000 sq.ft.	N/A
Distance Between Buildings	20'	20'	N/A
Lot Coverage			
-Building	N/A	2,973 sq.ft. 19.6%	N/A
-Paving/Driveway	N/A	1,741 sq.ft. 11.4%	2,176 sq.ft 20.9%
-Landscaping	N/A	10,485 sq.ft. 69.0%	8,248 sq.ft. 79.1%

The proposed project would meet the requirements of the E-3/S-D-3 Zone, with the exception of parking and lot frontage.

Parking Modification

Proposed Parcel 1 includes an Additional Dwelling Unit. The required parking for this unit is two covered parking stalls. The applicant is proposing one covered and one uncovered parking stall for the unit. Staff is supportive of the parking configuration given the small size of the unit.

Lot Frontage Modification

The required street frontage for an E-3 zoned lot is 60 feet. The existing parcel contains 100 feet of public street frontage. Proposed Parcel 2 would continue to have 100 feet of public street frontage. Proposed Parcel 1 is configured such that its only public street frontage would be a 25-foot easement along Selrose Lane. The applicant has requested a modification for Parcel 1 to provide less than the required 60 feet of lot frontage. Under the proposal, access to Parcel 1 would be provided via a 15-foot wide access easement over Parcel 2. Staff finds that this proposal provides adequate access to Parcel 1. The proposed configuration of Parcel 1 is consistent with surrounding development and previous subdivisions carried out in the vicinity.

Performance Standard Permit

An Additional Dwelling Unit typically requires approval by the Staff Hearing Officer (SHO). In order to approve a Performance Standard Permit (PSP), the SHO must determine that the request complies with the requirements outlined in SBMC 28.93.030, E; namely, that the lot size is at least double the minimum required lot size, that there are adequate provisions for ingress and egress, and that the location of the additional dwelling complies with all applicable ordinances. Because the Planning Commission has discretion over the subdivision, approval of the PSP is also within the Commission's purview in this case. Subject to approval of the uncovered parking stall modification, the Additional Dwelling Unit is consistent with the City's requirements and, therefore, staff can support this aspect of the project. Staff is recommending, as a condition of approval for the modification, that the size of the Additional Dwelling Unit not exceed 750 square feet.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the ABR on July 3, 2006 (meeting minutes are attached as Exhibit D). At that meeting, the ABR stated that the subdivision and additional dwelling unit and modification were appropriate improvements; however, they did have concerns with three residential units taking access from the new driveway, maintenance of the cypress trees and the installation of formal public improvements.

B. COMPLIANCE WITH THE GENERAL PLAN/LOCAL COASTAL PLAN

General Plan

Before a Tentative Subdivision Map can be approved, it must be found consistent with the City's General plan. Based on staff's analysis, the proposed subdivision can be found consistent with the plans and policies of the City of Santa Barbara.

The property is located in the West Mesa neighborhood as identified in the Land Use Element of the General Plan. The West Mesa neighborhood is primarily developed at a density of 6 to 7 dwelling units per acre and there is very little undeveloped land. The General Plan and Coastal Plan designation for the property is residential, 5 units per acre and the proposed two-lot subdivision would have a density of approximately 3.67 dwelling units per acre, consistent with its land use designation. Any future development on either parcel would be subject to the provisions of the E-3 single family residential zone. While the proposed Additional Dwelling Unit would increase density to 5.51 dwelling units per acre, the Additional Dwelling Unit is not required to be consistent with the General Plan by the Performance Standard Permit requirements. It should be noted, however, that further subdivision of these parcels would not be permissible because it would exceed the residential density allowed under the general plan.

Public Improvements

Given the existing public improvements along Mesa School Lane and the more rural feel desired by residents in this area, staff is not requiring the applicant to install a sidewalk along the property frontage. However, staff has asked and the applicant has agreed to dedicate an

additional five feet of right-of-way so that if the City decides to install sidewalk along this street in the future, the City will have the land available to do so. Curb and gutter are also being required along the entire Mesa School Lane frontage.

Local Coastal Plan

The subdivision and proposed improvements also require a Coastal Development Permit. The project is located in Component Two of the Local Coastal Land Use Plan (LCP), which is situated south of Cliff Drive between Arroyo Burro Creek and City College. Major coastal issues in this area include shoreline access, maintenance of existing public views of the coast and open space, water resources, and visitor-serving commercial possibilities. The proposed project creates no changes in the residential land use allowed for the site and, due to its location and minimal development proposed, the project raises no issues with respect to the Coastal Act or Local Coastal program policies.

C. ENVIRONMENTAL REVIEW

It has been determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15315 [Minor Land Divisions] for the two-lot subdivision and Section 15303 [New Construction] for construction of the Additional Dwelling Unit and garage.

VII. FINDINGS

The Planning Commission finds the following:

A. LOT FRONTAGE MODIFICATION (SBMC §28.15.080)

The modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot. The proposed lot configuration is consistent with the surrounding pattern of development. There are adjacent parcels on Mesa School Lane that provide access easements to lots without street frontage. Adequate vehicular access to the site is provided through Parcel 2, and pedestrian access is available from the adjacent Selrose Lane.

B. PARKING MODIFICATION (SBMC §28.15.080)

The modification is consistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space in the immediate area. The parking demand will be met on-site. Providing one required stall as an uncovered, rather than covered, stall will not result in an increased demand for parking in the immediate area. Given the small size of the Additional Dwelling Unit, providing a parking stall more conducive to guest parking is appropriate.

C. THE TENTATIVE MAP (SBMC §27.07.100)

With the approval of the street frontage modification, the Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development, the project is consistent with the variable density provisions of the Municipal Code and the General

Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

D. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

1. The project is consistent with the policies of the California Coastal Act.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.
3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation.

E. THE PERFORMANCE STANDARD PERMIT (SBMC §28.93.030)

The Additional Dwelling Unit has adequate ingress and egress, complies with all ordinance standards including height and setbacks, and is located on a lot of adequate size for an Additional Dwelling Unit in the E-3 zone district.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated April 3, 2006
- D. ABR Minutes, July 3, 2006

PLANNING COMMISSION CONDITIONS OF APPROVAL

2553 MESA SCHOOL LANE
TENTATIVE SUBDIVISION MAP, MODIFICATIONS, COASTAL DEVELOPMENT PERMIT,
PERFORMANCE STANDARD PERMIT
JULY 20, 2006

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession and enjoyment of the Real Property:

- A. **Recorded Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
 2. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Architectural Board of Review (ABR).
 3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
 4. **Development Rights Restrictions.** The Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Tentative Subdivision Map in order that those portions of the Real Property remain in their natural state to protect existing trees and surrounding development. These restrictions include, but are not limited to, the right to develop the restricted portions with any grading, irrigation, buildings, structures or utility service lines. The restricted areas shall be shown on the Final Map. The Owner shall continue to be responsible for (i) maintenance of the restricted area, and (ii) compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.
 5. **Approved Development.** The development of the Real Property approved by the Planning Commission on July 20, 2006 is limited to 2 lots, an additional dwelling unit not to exceed 750 square feet on Parcel 1, a new garage, and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

6. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - b. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - c. **Trash and Recycling.** Adequate space shall be provided and maintained for trash and recycling purposes.
 - d. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
 7. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
 8. **Oak Tree Protection.** The existing oak tree(s) shown on the Tentative Subdivision Map shall be preserved, protected and maintained. The following provisions shall apply to any oak trees to remain on the property:
 - a. No irrigation systems shall be installed within the drip line of any oak tree.
 - b. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
 9. **Street Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
 10. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.
- B. **Design Review.** The following is subject to the review and approval of the Architectural Board of Review (ABR):
1. **Tree Removal and Replacement.** All trees removed, except fruit trees and street trees approved for removal without replacement by the Parks Department, shall be replaced on-site on a one-for-one basis with a minimum 24-inch box sized tree of an appropriate species or like species.

2. **Tree Protection Measures.** The site plan and grading plan shall include the following tree protection measures:
 - a. **Fencing.** Fencing or protective barriers around the tree(s) during construction.
 - b. **Landscaping Under Trees.** Landscaping under the tree(s) that is compatible with the preservation of the tree(s).
 - c. **Oak Tree Protection Measures.** The following provisions shall apply to existing oak trees on site:
 - (1) During construction, fencing or protective barriers shall be placed around the dripline of all oak trees located within 25 feet of development.
 - (2) No grading shall occur under any oak tree dripline. If grading is required under the dripline, it shall be done by hand or under the supervision and direction of a qualified Arborist.
 - (3) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
 - (4) Landscaping provided under the oak tree(s) shall be compatible with preservation of the trees. No irrigation system shall be installed under the dripline of any oak tree.
 - (5) Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at a three to one (3:1) ratio, at a minimum five (5) gallon size, from South Coastal Santa Barbara County Stock.
 - (6) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.
3. **Existing Tree Preservation.** The existing trees shown on the approved Tentative Subdivision Map to be saved shall be preserved and protected during construction.
4. **Useable Common Open Space.** Adequate usable common open space shall be provided in a location accessible by all units within the development.
5. **Pedestrian Pathway.** A pedestrian pathway that is separate from the path of vehicular travel shall be provided from the public right-of-way to each residential unit.

6. **Minimize Visual Effect of Paving.** Textured or colored pavement and/or landscaping shall be used to minimize the visual effect of paving, create a pedestrian environment, and provide access for all users.
 7. **Trash Enclosure Provision.** A trash enclosure with an area for recycling containers shall be provided on Parcel 2 and screened from view from surrounding properties and the street.
 8. **Lighting.** Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.
 9. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
 10. **Permeable Paving.** Incorporate, to the extent feasible, a permeable paving system for the project driveway and parking area that will allow a portion of the driveway runoff to percolate into the ground.
- C. **Public Works Submittal Prior to Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Parcel Map for the project:
1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.
 2. **Dedication.** Easement, as shown on the approved Tentative Subdivision Map, subject to approval by the Public Works Department, for all street purposes along Mesa School Lane in order to establish an additional five feet of public right-of-way.
 3. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property. Said agreement will be prepared by Engineering Division Staff for the Owner's signature.
 4. **Required Private Covenants.** The Owner shall submit a copy of the recorded private covenants, reciprocal easement agreement, or similar private agreements required for the project.
 5. **Drainage Calculations.** The Owner shall submit drainage calculations justifying that the existing on-site and proposed on-site drainage system adequately conveys a minimum of a 25-year storm event.
 6. **Off-Site Public Street Improvement Plans.** The Owner shall submit C-1 public improvement or building plans for construction of improvements along the property frontage on Mesa School Lane. As determined by the Public Works

Department, the improvements shall include: new City standard residential driveway access; curb and gutter along entire property frontage, curb to be striped red and one "No Parking Sign" installed; 5' sidewalk area to be graded, where possible, to a cross slope not to exceed 2% and surfaced with a material that would not impede pedestrians; public fire hydrant; underground service utilities; supply and install one residential street light, style and final placement determined by Public Works and the Architectural board of Review; preserve and/or reset survey monuments; and provide adequate positive drainage from site. The building plans shall be prepared by a registered civil engineer or licensed architect and reviewed and signed by the City Engineer.

7. **Land Development Agreement.** The Owner shall submit an executed Agreement for Land Development Improvements, prepared by Engineering Division Staff, an Engineer's Estimate, signed and stamped by a registered civil engineer, and securities for construction of improvements prior to execution of the agreement.
 8. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way (easement).
 9. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- D. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Recordation of Parcel Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation to the Public Works Department.
 2. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.
- E. **Community Development Requirements Prior to Building or Public Works Permit Application/Issuance.** The following shall be finalized prior to, and/or submitted with, the application for any Building or Public Works permit:
1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions and Conditions of Approval. Submit a copy of the notice to the Planning Division.
 2. **Soils Report.** Submit to the Building and Safety Division a soils report.
- F. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review and outlined in Section B above.
2. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and/or rate of water run-off conditions from the site. The Owner shall install bioswales, catch basins, storm drainage interceptors or clarifiers on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment from improved, hard-surfaced areas prior to discharge into the public storm drain system. All proposed interceptors or clarifiers shall be reviewed and approved by the Public Works Department and the Building and Safety Division. Maintenance of these facilities shall be provided by the Owner.
3. **Fire Sprinkler System.** A fire sprinkler system shall be provided for the additional dwelling unit.
4. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers shall be provided on the Real Property.
5. **Utilities.** Provide individual water, electricity, and gas meters, and sewer lateral for each residential unit. Service lines for each unit shall be separate until a point five feet (5') outside the building.
6. **Water-Conserving Fixtures.** All plumbing fixtures shall be water-conserving devices in new construction, subject to the approval of the Water Resources Management Staff.
7. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer	Date	License No.
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G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field for the duration of the project construction.

1. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.

2. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1 st *
Martin Luther King's Birthday	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th *
Labor Day	1 st Monday in September
Thanksgiving Day	4 th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25 th *

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

3. **Construction Parking/Storage.** Construction parking and storage shall be provided as follows:

- a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director.
- b. Storage or staging of construction materials and equipment within the public right-of-way is prohibited.

4. **Water Sprinkling During Grading.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
5. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
6. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval.
7. **Tree Protection.** Notes on the grading plan that specify the following:
 - a. No grading shall occur under the driplines of the existing tree(s).
 - b. All excavation within the dripline of the tree(s) shall be done with hand tools.
 - c. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.
 - d. No heavy equipment, storage of materials or parking shall take place under the dripline of the tree(s).
 - e. Any root pruning and trimming shall be done under the direction of a qualified Arborist.
8. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological

resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility undergrounding.
3. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.

I. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

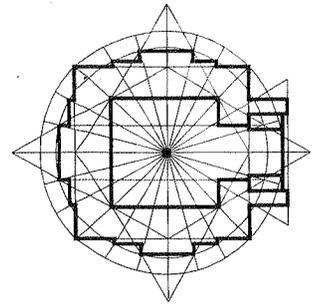
Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent

subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses and costs of that independent defense.

NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110 or the provisions of the California Subdivision Map Act.

Peikert Group Architects, LLP
Architecture and Development



April 3, 2006

Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

RECEIVED

APR 03 2006

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Subject: 2553 Mesa School Lane (MST#2004-00634): Applicant Letter

Dear Chair Jostes and Planning Commissioners:

As suggested by staff, we are providing the Planning Commission with this updated applicant letter, describing our proposal and more clearly explaining how the project is consistent with the required findings for approval.

On behalf of property owner Robin Davidson, Peikert Group Architects, LLP is requesting your approval to subdivide the existing 25,623-sq.-ft. lot at 2553 Mesa School Lane into two residential parcels; construct a 735-sq.-ft. studio dwelling unit; and make other minor changes to the existing property, consistent with the General Plan and zoning ordinance.

The existing property is improved with a single-family residence (1,483 sq. ft.), a detached two-car garage, two detached sheds, and extensive landscaping. Photographs of the site are included in the application package. Vehicular access to the site is available from Mesa School Lane.

Proposed Project

Under the current proposal, we will retain the existing residence, the southerly shed, and most of the existing landscaping. The property will be split into two residential parcels, with southerly parcel containing 15,199 gross square feet and northerly parcel containing 10,424 gross square feet. These lot areas are in excess of the minimum required lot area of 7,500 sq. ft. for lots in the E-3 zoning district. In the case of the southerly parcel, the lot size will be more than twice the minimum required, thus allowing the development of an additional dwelling unit.

The proposed studio dwelling unit will be one-story in height, 735 gsf in size, and outfitted with fire suppression sprinklers. This unit will be subject to review by the Architectural Board Review.

The existing garage will be replaced with a two-car garage attached to the existing home, and as shown on the attached site plan, the new studio unit will be served by a new one-car garage and a new unenclosed parking space.

The Mesa School Lane frontage will include a 5-foot sidewalk dedication across its entire length; a new street light and fire hydrant at the northeast corner; and a driveway entrance at the northwest corner of the parcel. A 10-foot driveway will run along the western boundary of Parcel 2, connecting Parcel 1 to Mesa School Lane. Access and utility easements will be recorded at Parcel 2, in favor of Parcel 1. The location, width and materials of the proposed driveway were all modified from the original proposal based on suggestions made by City staff. The driveway is now narrower, shorter, and includes permeable paving material to reduce surface flows to the stormdrain system.

The newly created Parcel 2 will have a lot size sufficient to allow the future development of a single-family residence; no development of this parcel, however, is currently proposed. Future development of Parcel 2 will be constrained by development and building envelopes, to be recorded as part of the final map. Recorded development and building envelopes, in combination with existing Municipal and Coastal zoning requirements, will ensure any future single family home built in this location will be compatible with the neighborhood.

The existing fence at the southeast corner of the property currently exceeds 42" within 10 feet of the Selrose Lane front lot line. This existing, non-conforming use will be replaced with a fence not exceeding 42" in height.

Code Discussion

We are requesting a Performance Standard Permit (formerly CUP authorization) (SBMC §28.93.030E), Lot Frontage Modification (SBMC §28.15.080), and a Residential Parking Modification (SBMC §29.90.100(G)(1)). We believe that these are all reasonable requests, and that the project will have no adverse impact on the immediate neighborhood or the greater community in which it is located.

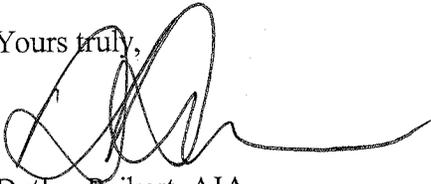
Under SBMC §28.93.020, the Staff Hearing Officer may grant a performance standard permit if she can find that the proposed use complies with all standards for the proposed use, as set forth in the Code. In this case, SBMC §28.93.030E says that an additional dwelling unit may be permitted in an E-3 zone if the minimum site area per dwelling unit is the minimum lot area required in the zone (i.e., 7,500 sq. ft.). With approval of the lot split, the southerly parcel will be 15,199 sq. ft. in size, thus meeting this standard.

Likewise, SBMC §28.93.030E says that the location of additional dwellings should comply with the provisions of all other applicable ordinances. We believe this standard is met with the current proposal, based on the studio dwelling's front and side yard setbacks, the height and size of the dwelling, and its separation from the existing residence.

The lot frontage modification is appropriate given the configuration of the parcels on site, and the fact that they will share driveway access from Mesa School Lane. Granting this modification will allow the two parcels – ultimately three residences – to share a single driveway for access, and that driveway will be made of permeable paving material.

We think the parking modification is appropriate and supportable. We are providing the required number of parking spaces for the studio. This modification is only to allow one of the two required parking spaces to be unenclosed. Granting this modification will reduce the structural coverage of the lot by about 225 sq. ft., and provide more flexibility in where the space is located on site. In addition, since the studio dwelling will only be 735 sq. ft. in size, it is not intended to be the home for a large family, and the demand for parking is not expected to exceed two spaces.

Yours truly,

A handwritten signature in black ink, appearing to be 'Detlev Peikert', written over the 'Yours truly,' text.

Detlev Peikert, AIA
Peikert Group Architects

cc: Robin Davidson, CFP

CONCEPT REVIEW - NEW ITEM**1. 2553 MESA SCHOOL LN**

E-3/SD-3 Zone

Assessor's Parcel Number: 041-311-032
Application Number: MST2004-00634
Owner: Robin Davidson, 2003 Revocable Trust
Agent: Lisa Plowman

(Proposal for a two-lot subdivision resulting in a 15,199 square foot Parcel 1 and a 10,424 square foot Parcel 2. The proposal for Parcel 1 includes construction of a 735 square foot additional dwelling unit, an attached 420 square foot two-car garage, an attached 210 square foot one-car garage, and one uncovered parking space. The two garages would be attached to the existing 1,483 square foot, one-story, single-family residence. The existing 508 square foot garage and 117 square foot shed would be demolished. Improvements to Parcel 2 would be to define development and building envelopes for a future single-family residence, relocate and improve the existing driveway, and provide an access and utility easement in favor of Parcel 1 as part of subdivision map recordation. Planning Commission approval is requested for a Performance Standard Permit for the additional dwelling unit, a modification to provide one of the required parking stalls as an uncovered stall, a lot frontage modification, a Coastal Development Permit, and a Tentative Subdivision Map.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION FOR A TENTATIVE SUBDIVISION MAP, MODIFICATIONS AND A PERFORMANCE STANDARD PERMIT.)

(3:30)

Present: Detlev Piekart, Architect; Allison Debusk, Project Planner, provided clarification regarding lot splits on the subject parcel, City policy for multiple driveways on a single parcel, and parking requirements.

Public Comment opened at 3:37 p.m.

Harry Wright, resident, spoke in favor of the project.

Public Comment closed at 3:39 p.m.

Motion: Continued indefinitely to the Planning Commission with the following comments: 1) The Board finds that the proposed lot split and additional unit on Parcel 1 are appropriate improvements. 2) The Board is concerned with vehicular access for the three residences that will occupy Parcel 1 and 2, as well as access to the adjacent residence to the west. The Board would like a solution that will maintain the rural quality of Mesa School Lane while providing sufficient width for vehicles, recognizing Mesa School Lane is also the pedestrian access toward the Wilcox property. 3) The Board is concerned with the health of the Cypress trees that line Mesa School Lane. The applicant is to provide a detailed landscape plan that identifies all trees to remain and those to be removed, both on-site and off-site, and their condition. 4) The Board finds that the proposed second unit on Parcel 1 is supportable, given its smaller size in relation to the main house. 5) The Board finds that the modification request for the fourth car stall to be uncovered is appropriate, as it provides fewer structures on the parcel. 6) Some Board members would like access to Parcel 2 to be located on the easterly portion of Mesa School Road; however, the Board defers to Public Works to resolve the issue as this would create two separate driveway approaches.

Action: LeCron/Wienke, 7/0/0.

